

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

F'REAL FOODS, LLC and	:	
RICH PRODUCTS	:	
CORPORATION,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	Civil Action No. 16-41-CFC
	:	
HAMILTON BEACH	:	
BRANDS, INC. and HERSHEY	:	
CREAMERY COMPANY,	:	
	:	
Defendants.:.		

MEMORANDUM ORDER

WHEREAS, Plaintiffs filed motions for summary judgment “on the following issues: (1) direct infringement by Defendants of Claim 21 of f’real’s U.S. Patent No. 7,520,662 [the “#662 patent”]; (2) direct infringement by Defendants of Claim 15 of f’real’s U.S. Patent No. 7,144,150; (3) Defendants’ defenses related to incorrect inventorship for f’real’s self-cleaning blender patents, and related counterclaims; (4) Defendants’ defenses related to public use or sale of the inventions claimed in the asserted self-cleaning blender patents more than one year before the non-provisional priority date, and related counterclaims; (5) Defendants’ inequitable conduct affirmative defenses and counterclaim; and (6) no

invalidity of Claim 21 of the [#]662 patent in view of Defendants' admissible prior art" (D.I. 169);

IT IS HEREBY ORDERED, for the reasons stated in the Court's memorandum orders dated April 12, 2019 (D.I. 241 and D.I. 242), April 17, 2019 (D.I. 246), and April 18, 2019 (D.I. 247), on this Twenty-second day of April in 2019, that Plaintiffs' motions for summary judgment (D.I. 169) are **GRANTED IN PART AND DENIED IN PART**:

1. Plaintiffs' motion for summary judgment of "direct infringement by Defendants of Claim 21 of f'real's U.S. Patent No. 7,520,662" is **GRANTED**. *See* D.I. 241.
2. Plaintiffs' motion for summary judgment of "direct infringement by Defendants of Claim 15 of f'real's U.S. Patent No. 7,144,150" is **GRANTED**. *See* D.I. 242.
3. Plaintiffs' motion for summary judgment on "Defendants' defenses related to incorrect inventorship for f'real's self-cleaning blender patents, and related counterclaims" is **DENIED**. *See* D.I. 247.
4. Plaintiffs' motion for summary judgment on "Defendants' defenses related to public use or sale of the inventions claimed in the asserted self-cleaning blender patents more than one year before the non-provisional priority date, and related counterclaims" is **GRANTED**. *See* D.I. 246.

5. Plaintiffs' motion for summary judgment on "Defendants' inequitable conduct affirmative defenses and counterclaim" is **DENIED**. *See* D.I. 247.

6. Plaintiffs' motion for summary judgment of "no invalidity of Claim 21 of the [#]662 patent in view of Defendants' admissible prior art" is **GRANTED**. *See* D.I. 247.

IT IS SO ORDERED.


CONNOLLY, UNITED STATES DISTRICT JUDGE